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U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-10791-LLS
Internal Use Only

Securities and Exchange Commission v. Madoff et al
Assigned to: Judge Louis L. Stanton
Cause: 15:77 Securities Fraud

Date Filed: 12/11/2008
Jury Demand: None
Nature of Suit: 850 Securities/Commodities
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Securities and Exchange Commission

represented by **Alexander Mircea Vasilescu**
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V.

Defendant**Bernard L. Madoff****Defendant****Bernard L. Madoff Investment
Securities, LLC****Receiver****Lee Richards**

Date Filed	#	Docket Text
12/11/2008	<u>1</u>	COMPLAINT against Bernard L. Madoff, Bernard L. Madoff Investment Securities, LLC. Document filed by Securities and Exchange Commission.(rdz) (Entered: 12/12/2008)
12/11/2008		SUMMONS ISSUED as to Bernard L. Madoff, Bernard L. Madoff Investment Securities, LLC. (rdz) (Entered: 12/12/2008)
12/11/2008		Magistrate Judge Kevin N. Fox is so designated. (rdz) (Entered: 12/12/2008)
12/11/2008		Case Designated ECF. (rdz) (Entered: 12/12/2008)
12/11/2008		Minute Entry for proceedings held before Judge Louis L. Stanton: Show Cause Hearing held on 12/11/2008. Court signs order appointing receiver. Matter adjourned until 12/12/08 at 12:00 p.m. (mro) (Entered: 12/12/2008)
12/12/2008	<u>2</u>	ORDER APPOINTING RECEIVER. Lee Richards of Richards Kibbe & Orbe LLP is appointed Receiver over all the assets and accounts of defendant Bernard L. Madoff Investment Securities LLC, and as further set forth in this document. (Signed by Judge Louis L. Stanton on 12/11/08, 6:42 pm) (cd) (Entered: 12/12/2008)
12/12/2008	<u>3</u>	ORDER TO SHOW CAUSE, TEMPORARY RESTRAINING ORDER, AND ORDER FREEZING ASSETS AND GRANTING OTHER RELIEF filed by Securities and Exchange Commission. Defendants Madoff and BMIS shall show cause: 1. directing Madoff and BMIS to show cause why an order should not be entered pending a final disposition of this action:(a) preliminarily enjoining Defendants from violating Sections 206(1) and 206(2) of the Investment Advisers Act of 1940 ("Advisers Act"), 15 USC § 80b-6(l) and (2); Section 17(a) of the Securities Act of 1933 ("Securities Act"), 15 USC §§ 77q(a); Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 USC §§ 78j(b), and Exchange Act Rule 10b-5, 17 CFR § 240.10b-5. (b) directing Defendants to provide a verified accounting immediately, including, but not limited to, a verified written accounting of Madoffs interests in BMIS and all other entities owned, in whole or in part, or controlled by, related to, or associated or affiliated with, Madoff or BMIS; (c) freezing the assets of

		<p>the Defendants; (d) appointing Lee Richards as receiver for BMIS' assets; (e) prohibiting the destruction, concealment, or alteration of documents by Defendants; and (f) preliminarily enjoining Defendants and their partners, owners, agents, employees, attorneys, or other professionals, anyone acting in concert with them, and any third party from filing a bankruptcy proceeding against the Defendants without filing a motion on at least three (3) days' notice to the Plaintiff, and approval of this Court after a hearing; and (2) pending adjudication of the foregoing, an Order (a) temporarily restraining Defendants from violating the aforementioned statutes and rules; (b) directing Defendant Madoff to provide a verified accounting immediately, including, but not limited to, a verified written accounting of Madoffs interests in BMIS and all other entities owned, in whole or in part, or controlled by, related to, or associated or affiliated with, Madoff or BMIS; (c) freezing the assets of the Defendants, including, without limitation, the accounts listed on the attached Exhibit A. (d) appointing Lee Richards, Esq., of Richard., Kibbe & Orbe LLP as receiver for the Defendants' assets, including without limitation Madoff Securities International Ltd. ("Madoff International") and Madoff Ltd. As further set forth in said Order. Show Cause Hearing set for 12/19/2008 at 12:00 PM in Courtroom 21C, 500 Pearl Street, New York, NY 10007 before Judge Louis L. Stanton. Show Cause Response due by 12/16/2008. (Signed by Judge Louis L. Stanton on 12/12/08) (db) Modified on 12/12/2008 (db). (Entered: 12/12/2008)</p>
12/15/2008	4	<p>ORDER; ORDERED, ADJUDGED and DECREED that the customers of the Defendant, Bernard L. Madoff Investment Securities LLC, are in need of the protection afforded by the Securities Investor Protection Act of 1970, as amended ("SIPA", 15 U.S.C. §78aaa et seq.); that pursuant to 15 U.S.c. §78eee(b)(3), Irving H. Picard, Esquire is appointed trustee for the liquidation of the business of the Defendant with all the duties and powers of a trustee as prescribed in SIPA, and the law firm of Baker & Hostetler LLP is appointed counsel for the trustee. The trustee shall file a fidelity bond satisfactory to the Court in the amount of \$250,000.00; that all persons and entities are stayed, enjoined and restrained from directly or indirectly removing, transferring, setting off, receiving, retaining, changing, selling, pledging, assigning or otherwise disposing of, withdrawing or interfering with any assets or property owned, controlled or in the possession of the Defendant, including but not limited to the books and records of the Defendant, and customers' securities and credit balances, except for the purpose of effecting possession and control of said property by the trustee; that pursuant to 15 U.S.C. §78eee(b)(2)(B)(i), any pending bankruptcy, mortgage foreclosure, equity receivership or other proceeding to reorganize, conserve or liquidate the Defendant or its property and any other suit against any receiver, conservator or trustee of the Defendant or its property, is stayed; that pursuant to 15 U.S.C. §78eee(b)(4), this liquidation proceeding is removed to the United States Bankruptcy Court for the Southern District of New York; that the trustee is authorized to take immediate possession of the property of the Defendant, wherever located, including but not limited to the books and records of the Defendant, and to open accounts and obtain a safe deposit box at a bank or banks to be chosen by the trustee, and the trustee may designate such of his representatives who shall be authorized to have access to such property. (Signed by Judge Louis L. Stanton on 12/15/08) (ae) (Entered: 12/15/2008)</p>
12/15/2008	5	<p>MOTION Of The Securities Investor Protection Corporation. Document filed by Securities and Exchange Commission.(rw) (Entered: 12/15/2008)</p>

12/15/2008	6	MEMORANDUM OF LAW in Support re: 5 MOTION The Securities Investor Protection Corporation. Document filed by Securities and Exchange Commission. (rw) (Entered: 12/15/2008)
12/15/2008	7	CONSENT of Defendant, Bernard L. Madoff Investment Securities LLC, admits to the jurisdiction of this Court over it and over the subject matter of this action. (rw) (Entered: 12/15/2008)
12/15/2008		(Court only) ***Motion(s) terminated: 5 MOTION The Securities Investor Protection Corporation. Filed by Securities and Exchange Commission. (rw) (Entered: 12/15/2008)